

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

In Re Jackson Water Cases,

v.

The City of Jackson, Mississippi, et al.,

No. 3:23-cv-00614-CWR LGI
(Main Docket – All Plaintiffs)

Hon. Carlton W. Reeves,
U.S. District Judge

Hon. LaKeysha Greer Isaac,
U.S. Magistrate Judge

**PLAINTIFFS’ RESPONSE IN OPPOSITION TO DEFENDANTS’ MOTION
TO STAY DISCOVERY AND THE ENTRY OF A SCHEDULING ORDER**

PLAINTIFFS submit this Response in Opposition to Defendants’ Motion to Stay Proceedings [**Main Docket,¹ Doc. 156**], and state as follows:

1. On October 10, 2023, The City of Jackson, Mississippi; Mississippi State Department of Health; and Trilogy Engineering Services, LLC (together, “Defendants”) requested:

- a. a stay of the entry of a scheduling order and any discovery pending the Court’s ruling on Defendants’ Motion for Entry of Pre-Discovery (“*Lone Pine*”) Case Management Order; and
- b. a stay of the entry of a scheduling order and any discovery pending completion of compliance and enforcement of the terms of the *Lone Pine* CMO.

¹ 3:23-cv-00614-CWR-LGI

2. Plaintiffs oppose this request in its entirety. As set forth more fully in Plaintiffs' accompanying memorandum,² Defendants' request is entirely unwarranted. Defendants have not come close to meeting their burden to warrant such an extraordinary remedy. Instead, they grossly underestimate the duration of their proposed stay; rely on conclusory and inaccurate statements in support of their request; ignore the massive expense that would necessarily flow to thousands of children if their request were granted; and attempt to create a bright line rule regarding *Lone Pine* and discovery that is not at all supported by jurisprudence.

WHEREFORE, Plaintiffs respectfully request that this Court deny the Defendants' request for a stay of proceedings in its entirety.

Respectfully submitted,

/s/ Corey M. Stern

Corey M. Stern, PHV 49568

/s/ Melanie Daly

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² Pursuant to L.U.Civ.R. 7(b)(2) and Administrative Procedures for Electronic Case Filing Section 3.A.7, Plaintiffs' accompanying memorandum will be filed separately.

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CERTIFICATE OF SERVICE

I, Melanie Daly, counsel for Plaintiffs, hereby certify that on October 20, 2023, the foregoing document was served on all counsel of record via the Court's ECF system.

/s/ Melanie Daly
Melanie Daly, PHV 49758
LEVY KONIGSBERG, LLP